

**IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

Patsy L. Barrows-Wise, Adm. Est. :  
Of Krystal M. Barrows, Dec'd., :  
  
Plaintiff, : Case No. 2:14-cv-2244  
  
vs. : Judge  
  
George Lavender, et. al., :  
  
Defendants. :

**NOTICE OF REMOVAL BY DEFENDANTS SHERIFF  
GEORGE LAVENDER AND BRETT MCKNIGHT**

Defendants, by and through legal counsel, state the following for their Notice of Removal:

1. On October 10, 2014, Plaintiff Patsy L. Barrows-Wise, Administrator of the Estate of Krystal M. Barrows, deceased, filed a civil Complaint in the Ross County Court of Common Pleas against Defendants Sheriff George Lavender and Brett McKnight (collectively, "Defendants"). The earliest service of the summons and complaint upon the Defendants who are removing this matter was made on October 15, 2014, and accordingly, this Notice of Removal is filed within 30 days after notice that this action was removable. A copy of the time-stamped Complaint is attached hereto as Exhibit 1.

2. Plaintiff's Complaint alleges violations of federal rights. Specifically, Plaintiff brings claims pursuant to 42 U.S.C. § 1983 and alleges violations of the Fourth and Fourteenth Amendments to the United States Constitution. (See Complaint, Exhibit 1, ¶¶ 25-35). Additionally, there may be supplemental state law claims over which this Court may exercise

jurisdiction pursuant to the supplemental jurisdiction provision of 28 U.S.C. § 1367 and which are removable pursuant to 28 U.S.C. § 1441(c).

3. Defendants desire to remove this action to this Court pursuant to 28 U.S.C. § 1441 and 28 U.S.C. § 1446 on the grounds that this is a case involving federal question jurisdiction pursuant to 28 U.S.C. § 1331 in that the action arises under the laws of the United States, *i.e.* 42 U.S.C. § 1983 and the Fourth and Fourteenth Amendments to the United States Constitution. A copy of the Notice of this removal proceeding which the Defendants will promptly serve on all parties is attached hereto as Exhibit 2.

4. All process, pleadings and orders served upon Defendants are attached hereto.

5. All Defendants have consented to this removal.

**WHEREFORE**, Defendants pray that the above-referenced action pending against them in the Common Pleas Court of Ross County, Ohio be removed therefrom to this Court.

Respectfully submitted,

/s/ Andrew N. Yosowitz

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*Attorneys for Defendants Sheriff George Lavender  
and Brett McKnight*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 12, 2011, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ *Andrew N. Yosowitz*  
Andrew N. Yosowitz (0075306)